Bid Proposal Checklist

abla	All Addenda are acknowledged
\square	Bid Package signed by authorized party
\checkmark	Signed Non-Collusion Declaration from Prime Contractor enclosed
	Original Bid Bond enclosed; or
	If submitting via ePro, original Bid Bond mailed to Project Management. Note: Bid Bond must be received by Project Management by time of bid opening.
V	No modifications made to bid forms
\square	Envelope properly labeled
abla	Remember to <u>seal</u> the bid and deliver to:
	Project and Facilities Management Department Project Management County Government Center 385 North Arrowhead Avenue, Third Floor San Bernardino, California 92415-0184

<u>Please Note</u>: This checklist is only provided to assist the bidders. It is the bidder's sole responsibility to ensure that they are complying with the requirements included in the Bid Package in their entirety, even if they are not identified on this checklist.

REVISED BID PROPOSAL

PROJECT:	Chino Airport Perimeter Fence Replacement
LOCATION:	7000 Merrill Avenue in Chino
OWNER:	San Bernardino County
BID OPENING:	October 4, 2023, at 10:00 a.m.
BIDDER:	J&A Engineering Corp. dba J&A Fence
San Bernardino Cou Project and Facilities 385 North Arrowhead San Bernardino, CA https://pfm.sbcounty	Management Department – Project Management d Avenue, Third Floor 92415-0184
project Bid Docume which is to replace 9 install (3) 12x16 free	your invitation for bids, the undersigned has carefully examined the nts, including the drawings and specifications, for the scope of work 2,200 linear feet of fencing with new Type B1 Ornamental fencing and estanding monument signs with footings in Chino, California, and fully pe and meaning of the Bid Documents.
facilities, and transp	reby agrees to furnish all materials, labor, tools, equipment, apparatus, portation necessary to complete all work in strict conformity with the fications, and to execute the contract to the satisfaction of the Project gement Department – Project Management, at the following cost(s):
written bid shall prev bid set forth on the	cy between the written bid set forth and the numerical bid set forth, the vail. In the case of a discrepancy between the written bid or numerical bid proposal, and the numerical bid set forth in the ePro system, the id proposal shall prevail.
BASE BID	
For the furnishing o designated in the Plant	f the labor, materials, and equipment necessary to complete all work ans and Specifications.
The LUMP SUM of	Three Million Six Hundred Fifty Thousand Dollars and 00 Cents
	(\$_3,650,000.00

The above-mentioned BASE BID includes applicable California state sales tax, bonds, insurance and all other costs required to perform all the work described in the project drawings and specifications.

The lowest bid shall be the lowest bid price on the BASE BID. A responsible and responsive bidder who submitted the lowest bid shall be awarded the contract, if it is awarded.

BID DEPOSIT (BID BOND)

There is enclosed herewith, a certified check or surety bond in the amount of ten percent (10%) of the BASE BID, or, more specifically, Three Hundred Sixty Five Thousand and 00 cents

Dollars (\$\frac{365,000.00}{10\%}), made payable to San Bernardino County. The undersigned agrees that in the event of the failure by the undersigned to execute the necessary contract and furnish the required contract bonds and insurance, the certified check or surety bond and the money payable thereon shall be, and remain, the property of San Bernardino County. If the bid is accompanied by a certified or cashier's check, the check shall be deposited by the Project and Facilities Management Department – Project Management, and a County warrant for the full amount shall be issued to the undersigned approximately one month after Contract Award.

If the bid is submitted through San Bernardino County Electronic Procurement Network (ePro) then scan the bid security (bid bond) and submit the scanned copy with your bid submittal in ePro, additionally, mail or submit the original bid security, in a separate sealed envelope labeled "Bid Bond" with the title of the work and the name of the bidder clearly marked on the outside, to: Project and Facilities Management Department — Project Management, 385 North Arrowhead Avenue, Third Floor, San Bernardino, California, 92415-0184. Any mailed or submitted bid security must be received on or before the time set for the opening of the bids.

TIME OF COMPLETION

The undersigned agrees to complete the work within <u>239</u> calendar days from the date stipulated in the Notice to Proceed.

LIQUIDATED DAMAGES

Pursuant to the provisions of Government Code Section 53069.85 and in the event that all the Work called for in this Contract is not completed within the number of calendar days set forth, Contractor shall forfeit and pay to the County the sum of \$1000.00 per day for each calendar day the work remains incomplete, to be deducted from any payments due or to become due to the Contractor. (Reference General Conditions and Special Conditions)

ESCROW ACCOUNT

Pursuant to Section 22300 of the Public Contract Code, at the request and expense of the Contractor, the Contractor may substitute qualified securities in lieu of retention withheld by the County and/or establish an escrow account for retention payments.

REJECTION OF BIDS

The undersigned agrees that the County reserves the right to reject any or all bids, and reserves the right to waive informalities in a bid or bids, not affected by law, if to do so seems to best serve the public interest.

VALIDITY OF BIDS

The undersigned agrees that this bid will remain valid for sixty (60) days after the scheduled bid opening.

STATE LICENSES

The undersigned hereby certifies that he is currently the holder of a valid State Contractor's Class "A" license as a contractor in the State of California and that the license is the correct class of license for the work described in the project drawings and specifications. The undersigned also certifies that all subcontractor(s) listed under the Designation of Subcontractors section of the Bid Proposal are currently the holder of valid contractor's license(s) in the State of California and the license is the correct class of license for the work to be performed by the subcontractor(s).

INSURANCE

The undersigned agrees to furnish certified copies of all insurance policies and endorsements; all certificates of comprehensive, general and auto liability insurance; Workers' Compensation insurance; and such other insurance that will protect him from claims for damages and personal injury, including death, which may arise from operations under the contract, whether such operation be by the undersigned or by any subcontractor of the undersigned, or anyone directly or indirectly employed by the undersigned or any subcontractor of the undersigned in accordance with Section 11.2 of the General Conditions. The undersigned agrees to provide the Project and Facilities Management Department — Project Management with Certificates of Insurance evidencing the required insurance coverage at the time Contractor executes the contract with the County. All policies (excluding Workers' Compensation) shall name San Bernardino County and its officers, employees, agents and volunteers as additional insureds. All coverages shall be subject to approval by the County for adequacy of protection.

BONDS

If this Bid is successful, the undersigned agrees to execute the required Standard Contract and will furnish a payment bond in an amount equal to one hundred percent (100%) of the contract price and a Faithful Performance Bond in an amount equal to one hundred percent (100%) of the contract price. These bonds shall be secured from a surety company or companies satisfactory to the County within ten (10) calendar days of the contract award and shall be on County approved bond forms. Bonds shall remain in full force and effect for a period of one year following the date of filing of Notice of Completion.

FORMER COUNTY OFFICIALS

Contractor agrees to provide or has already provided information on former San Bernardino County administrative officials (as defined below) who are employed by or represent Contractor. The information provided includes a list of former county administrative officials who terminated county employment within the last five years and who are now officers, principals, partners, associates or members of the business. The information also includes the employment with or representation of contractor. For purposes of this provision, "county administrative official" is defined as a member of the Board of Supervisors or such officer's staff, Chief Executive Officer or member of such officer's staff, county department or group head, assistant department or group head, or any employee in the Exempt Group, Management Unit or Safety Management Unit.

INACCURACIES OR MISREPRESENTATIONS

If during the course of the bid proposal process or in the administration of a resulting Contract, the County determines that the contractor has made a material misstatement or misrepresentation or that materially inaccurate information has been provided to the County, the contractor may be terminated from the bid proposal process, or in the event a Contract has been awarded, the Contract may be immediately terminated. If a Contract is terminated according to this provision, the County is entitled to pursue any available legal remedies.

VISITING THE SITES

The undersigned has visited the site, and is familiar with the local conditions of the work site.

DESIGNATION OF SUBCONTRACTORS

In compliance with the provisions of Sections 4100-4108 of the Public Contract Code of the State of California, and any amendments thereof, the undersigned shall set forth below the name, location of the place of business and the California contractor license number of each subcontractor who will perform work (meaning the total amount of the subcontractor's contract amount including all labor, materials, supplies and services) in excess of one-half of one percent (1/2 of 1%) of the total bid; and, the general category or the portion of the work to be performed by each subcontractor.

If the undersigned fails to specify a subcontractor for any work to be performed under the contract, the undersigned agrees to perform the work and shall not be permitted to subcontract that work except in cases of public emergency, and then only after written finding as public record by the Board of Supervisors.

The undersigned certifies that all subcontractor(s) listed below are currently the holder of valid contractor's license(s) in the State of California and the license(s) is the correct class of license for the work to be performed by the subcontractor(s).

The undersigned certifies that it <u>and</u> all subcontractor(s) listed below have registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 (applicable for all bids submitted on or after March 1, 2015). The undersigned agrees that no contractor or subcontractor may be awarded a contract for public work or perform work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 (applicable for all contracts awarded on or after April 1, 2015). The undersigned acknowledges that the project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

As required by Labor Code 1771.1(a) "A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."

Where a hearing is required for a decision on the substitution of subcontractors, pursuant to the provisions of Chapter 4, Part 1, Division 2, of the Public Contract Code, (commencing with Section 4100) by the awarding authority, or a duly appointed hearing officer, the Clerk of the Board of Supervisors shall prepare and certify a statement of costs incurred by the County for investigation, and to conduct the hearing, including the costs of any hearing officer and shorthand reporter appointed. For the purposes of a hearing for the substitution of subcontractors (pursuant to the Public Contract Code commencing with Section 4100) the awarding authority shall be the Director of the Project and Facilities Management Department, or his/her designee.

The statement of costs shall be sent to the undersigned, who shall reimburse the County for all costs. If not paid separately, such reimbursement shall be deducted from monies due and owing to the undersigned prior to acceptance of the project.

CONTRACTOR NAME: J&A Engineering Corp. dba J&A Fence

Subcontractor Portion of Work Location of CA Cont. Lic. No. DIR Reg. No.

(Description of work <u>Business</u> to be performed)

CB & G Sign Solutions DBA Dave's Signs	Signage	4773 Ortega Ventura, C/	St., Unit C \ 93003	Lic. No. 777913	#1001094218
Professional Creation Landscape	Landscaping	400 S. 4th La Puente, C		Lic. No. 1053750	#1001028353
MCEC Inc.	Electrical	900 W. 10 Azusa, CA 9		Lic. No. 715347	#100001430
<u>ADDENDA</u>					
This bid includes	Addendum No	, 1	dated	7/07/23	
•	Addendum No		dated	7/13/23	
	Addendum No		dated	7/21/23	
	Addendum No		dated	7/25/23	
	Addendum		- dated		
	Addendum No		dated _ dated	8/18/23	

Bidder must acknowledge all addendums above, regardless of any acknowledgement of addendums in ePro.

AFFIDAVIT

The undersigned has submitted with the bid proposal a non-collusion declaration, signed under penalty of perjury, for the principal contractor. The undersigned agrees to furnish the County non-collusion declarations for subcontractors signed under penalty of perjury, and states that this is a genuine proposal and is neither collusive nor made in the interest of any other person, and has not induced anyone to submit a sham bid or refrain from bidding.

The undersigned acknowledges it has registered with the ePro system prior to the date and time to receive sealed bids or it will be disqualified.

The undersigned declares: that the only person or parties interested in this proposal as principals are those named herein; that this bid is made without any connection with any other person or persons making a bid for the same work, except for another division of the undersigned which may submit an independent bid; that the bid is in all respects fair and without collusion or fraud; that the undersigned has read the Advertisement for Bids and the Instructions to Bidders and agrees to all the stipulations contained therein; that the undersigned has examined the form of contract (including the specifications, drawings, and other documents incorporated therein by reference); that in the event this bid as submitted, including the incorporated bidding documents, be accepted by the County, the undersigned shall execute a contract to perform the work as outlined herein.

If undersigned is a corporation, proposal must be signed by an authorized officer of the corporation.

If the bid proposal is submitted through ePro the undersigned acknowledges that its electronic signature is legally binding.

Check One: () Sole Proprietor	
Name of Bidder: J&A Engineering Corp. dba J&A Fer	nce
Address: 824 N. Todd Ave., Azusa, CA 91702	
	Phone: (626) 334-3209
Email: <u>admin@jnafence.com</u>	
Contractor's License No.: 913941	Primary Class: <u>A, B, and C-13</u>
Expiration Date of Contractor's License4/30/24	
Contractor's DIR Registration #1000010231	
I declare under penalty of perjury the above is true and	correct.
Authorized Signature: Mi6vel Miranda	Title:Owner
Print Name: Miguel Miranda	Date:10/04/23

NONCOLLUSION DECLARATION

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

The undersigned declares:
I am theof J&A Engineering Corp. dba J&A Fence, the party making the foregoing bid.
The bid is not made in the interest of, or on behalf of, any undisclosed person partnership, company, association, organization or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or of any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price of any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusion or sham bid and has not paid, and will not pay, any person or entity for such purpose.
Any person executing this declaration on behalf of a bidder that is a corporation partnership, joint venture, limited liability company, limited liability partnership, or an other entity, hereby represents that he or she has full power to execute, and doe execute, this declaration on behalf of the bidder.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on October 4th, 2023 [date], at Azusa [city] California [state].
Signed: <u>Mi Evel Mi nanda</u>
Title: Owner



SUBSTITUTION REQUEST FORM

Project: Chino Airport Upgrade Perimeter	Substitution Request Number: 001
To: HMC Architects, Inc.	From: J & A Fence
Re:	- 40/00/00
Architect's Project Number: 2277035101	
Specification Title: Fences and Gates	
Section: 323119	
Proposed Substitution: Montage II Invincible To V3	Industrial Rackable Welded Ornamental Fence
Manufacturer: Ameristar To Fortress Fence Produ	
Trade Name:	
adequate for evaluation of the request; applicable portions of Attached data also includes a description of changes to the require for its proper installation, at no cost to the Owner. The Undersigned Certifies: Proposed substitution has been fully investigated specified product. Same warranty will be furnished for proposed substitution will have no adverse effect of the Proposed substitution will have no adverse effect of the Proposed substitution does not affect dimensions are Payment will be made for changes to building decaused by the substitutions. Reason(s) why substitution is being submitted. Specified product or material is not available. Expecified product owner. Indicate comparative components of the Cost savings to Owner. Indicate comparative components.	d and determined shall be equal or superior in respects to titution as for specified product. nent parts, as applicable, is available. n other trades and will not affect or delay progress schedule. and functional clearances. esign, including A/E design, detailing and construction costs option in detail as attachment. est analysis as attachment.
Submitted by Miguel Miranda	
1 11111.	
Address: 824 N. Todd Ave., Azusa, CA 91702	
Telephone: (626) 334-3209	
☐ Comparisons not properly identified on prod Signed by:	ements of Paragraph
Substantiating Data Required: □ Drawings □ Tests if required in individue □ Product Data □ Reports if required in individue □ Samples □ Other:	vidual sections





Surety Group 801 S Figueroa Street, Suite 700 Los Angeles, CA 90017 USA Tel: 310-649-0990

Bond Number: <u>11-838-087</u>

BID BOND

KNOW ALL PERSONS BY THESE PRES	
That we, J & A Engineering Corp. dba J &	A Fence (hove:in offer
824 N Todd Avenue, Azusa, CA 91702	(hereinafter
called Principal), as Principal, and <u>U.S. Sp</u>	corporation organized and existing under the laws of <u>Texas</u> ,
	eld and firmly bound unto San Bernardino County
385 N Arrowhead Avenue, 3rd Floor, San B	
	ed Obligee) as Obligee, in the penal sum of ten
	percent (<u>10</u> %) of amount bid not to exceed
Ten Percent of the Penal Sum of the Bid In	
payment of which the Principal and the Sur and assigns, jointly and severally, firmly by	ety bind themselves, their heirs, executors, administrators, successors
THE CONDITION OF THIS OBLIGATION I a proposal to the Obligee on a contr Project at 7000 Merril Avenue, Chino, CA 9	IS SUCH, That, whereas the Principal has submitted or is about to submit ract for 227-7035-101-A Chino Airport Perimeter Fence Replacement
may be specified, enter into the contract in	
Signed and sealed this 20 day of 30	
	Principal: <u>J & A Engineering Corp. dba J & A Fence</u>
	By: Mi Evel Miranda
	by
	Surety: U.S. Specialty Insurance Company
	By: (5/1)
	Blake A. Pfister, Attorney-in-Fact
Any claims under this bond may be addres	sed to the Surety at the following address:
U.S. Specialty Insurance Company	
801 South Figueroa Street, Suite 700	
Los Angeles, CA 90017	
Attention: Claims	
Tel: (310) 649-0990	 `
E-mail: suretyclaimsinquiry@tmhcc.com	
E-mail. Suretyciaimsingury@umicc.com	

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

WATER CONTRACTOR OF THE CONTRACTOR OF T	
A notary public or other officer completing the document to which this certificate is attached	his certificate verifies only the identity of the individual who signed the , and not the truthfulness, accuracy, or validity of that document.
State of California)
County of <u>Orange</u>)
On July 20, 2023 before m	e, Lianne Nahina, Notary Public ,
Date	Here Insert Name and Title of the Officer
personally appeared Blake A. P.	fister
:	Name(s) of Signer(s)
cubecribed to the within instrument and	tisfactory evidence to be the person(*) whose name(s) is/** I acknowledged to me that he/************************************
	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
¥	WITNESS my hand and official seal.
	Signature Signature of Notary Public
LIANNE NAHINA COMM. # 2314283 7 NOTARY PUBLIC-CALIFORNIA ORANGE COUNTY MY COMM. EXP. DEC 5, 2023	Signature of Notary Public
Place Notary Seal Above	
Though this section is optional, compl	OPTIONAL leting this information can deter alteration of the document or ent of this form to an unintended document.
Description of Attached Document Title or Type of Document: Bid Bon Number of Pages: Signer(s) (d 11-838-087 Document Date: July 26, 2023 Other Than Named Above: N/A, None
Capacity(ies) Claimed by Signer(s)	
Signer's Name: Blake A. Pfiste	er Signer's Name:
☐ Corporate Officer — Title(s):	☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General ☐ Individual ☐ Attorney in Fact	☐ Partner — ☐ ☐ Imited ☐ General ☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conse	
Other:	Other:
Signer is Representing: U.S. Spec Insurance Company	
11 10 10 11 11 11 11 11 11 11 11 11 11 1	



POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Blake A. Pfister of Mission Viejo, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed
(***\$5,000,000.00****). This Power of Attorney shall expire without further action on April 23°, 2026. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:
Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:
Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.
Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.
IN WITNESS WHEREOF. The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 18 th day of April 2022. AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING OMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY
State of California County of Los Angeles By:
Daniel P. Aguilar, Vice President
A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document
On this 18th day of April 2022, before me, Sonia O. Carrejo, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal. Soma O. CARRENO hotary Public - Cultifornia Los Angeles County Commission # 1398710
Signature (seal)
I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.
In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 26th day of July 2023,
Corporate Seals 11-838-087 Bond No.
Agency No. 3074 Kio Lo, Assistant Secretary